

Notice of Allowability

Application No.

09/503,778

Examiner

Thomas M. Ho

Applicant(s)

CRONCE ET AL.

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/15/05.
2. ☒ The allowed claim(s) is/are 1-19 and 28-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

1. The Appeal brief of 8/15/05 has been received and entered.
2. Claims 1-19, 28-45 are allowable. Claims 20-27 have been canceled.

Reasons for Allowance

3. Rejections to claims 1-11, 28-45 have been withdrawn in view of Applicant's arguments (page 11, 3rd paragraph – page 12, 2nd paragraph)

Caputo further fails to teach or suggest that "first" and "second" "items of authorization information" are associated with "first" and "second" "items of protected information" on the computer to which the device is connected (claims 1 and 2), or recited differently, that multiple items of authorization information "are associated with respective ones of the multiple items of protected information" (claims 28 and 32). For Example, authorization #1 must be present in the device in order to gain access to information item #1 on the computer; authorization #2 must be present in the device in order to gain access to information item #2 etc. The device can hold many of these authorizations to allow access of many items of information. Caputo fails to teach or suggest a device that meets this functionality.

As evidenced, from the Applicant's arguments, the applicant intends for the interpretation of protected information to mean the set of information the user has access to upon gaining authorization. The Examiner has carefully considered Applicant's arguments and has found Applicant's reasoning to be persuasive. The Examiner withdraws his rejection

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of claims 1, 2, 28, and 32 and their dependent claims. Consequently, Claims 1-11, 28-35 are held to be allowable. Claim 36 recites the similar limitation whereby the limitation recites: "one key selector for each item of protected information". The Examiner has reconsidered his position based on Caputo (Column 14, lines 52-65), (Column 17, lines 32-56), (Figure 2), (Column 5, lines 7-12) & (Column 11, lines 49-59) and found that Caputo fails to disclose the limitation "one key selector for each item of protected information", in view of the interpretation presented by Applicant wherein each item of protected information is a specific piece of information a client is gaining access to. Accordingly Claims 36-45 are additionally allowable.

Applicant has also argued with reference to claim 12 *"Caputo further fails to teach or suggest that the "item of authorization information" that is associated with a corresponding "item of protected information" on the host computer is, in fact "provided by a vendor of the first one of the items of protected information."* In light of the interpretation presented by Applicant, it is evident the item of protected information is the information the user is gaining access to, for example a piece of software. The Examiner has reconsidered Applicant's argument that Caputo does not disclose the item of authorization information wherein the protected information and the authorization information are provided by the same vendor. Accordingly claim 12 and its dependent claim 13 are allowable.

Claim 14 additionally recites a similar limitation *"for receiving a key selector from an information authority the key selector being associated with a first one of the items of protected information and provided by a vendor of the first one of the items of protected information"* Accordingly, claim 14 and its dependent claim 15 is allowable for the same reasons as claims 12 and 13.

With respect to claims 16-19, the Applicant has recited on paragraph 2, page 16.

It is respectfully submitted that Caputo fails to teach or suggest any of these limitations in claims 16, 18, and 19/. The Examiner considers authorization information that is encrypted or decrypted in where a private key is "regenerated" when needed in the authorization processed to be analogous to blended and unblended information. However, blending is defined in the Specification (page 18, lines 3 through page 19, line 13) as "data derived from the blended two or more of the dynamic key selectors 171. The dynamic key selectors 171 are blended in a systematic way such that the dynamic key selector data 156 cannot be partitioned into segments exclusively associated with individual dynamic key selectors." And even if Caputo's encrypted private keys can be considered analogous to blended authorization information, the authorization information regenerated from the blended authorization information would not be used to selectively authorize the host system to use an item of protected information based upon the at least one item of authorization information," as recited in claims, 16, 18, and 19.

In view of the more specific interpretation of "blended" information as presented in the arguments of claims 16-19, the Examiner has reconsidered the rejection in view of Caputo and determined Caputo fails to explicitly recite the steps and limitations advocated by the Applicant to be read into the interpretation of the word "blended". Accordingly the rejections of claims 16-19 have been withdrawn.

All pending claims are in condition for allowance.

Conclusion

3. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (571)272-3838.

The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist	Telephone: 571-272-2100	Fax: 571-273-8300
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TMH


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SUPERVISORY PATENT ENGINEER
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December 11th, 2005